



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202 - 2733

Office of the Regional Administrator

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Erin E. Chancellor
Chief of Staff
Region 6

Erin E. Chancellor 10/1/18

TO: Anne L. Idsal
Regional Administrator
Region 6

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and the Region's ethics team and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that, apart from my outside activity in a fiduciary position with the State Bar of Texas Environmental & Natural Resources Law Section, I do not currently have any financial conflicts of interest. I understand that I cannot participate personally and substantially in any particular matter that will have a direct and predicable effect upon the the State Bar of Texas, either as a specific party or as a member of an affected class. However, I have been advised by OGC/Ethics and the Region's ethics team that my work is not likely to have a direct and predictable effect on this entity. I will continue to remain vigilant and notify OGC/Ethics and the Region's ethics team immediately should my financial situation change.

EEC 10/1/18

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics obligations with respect to my former employer, the Texas Commission on Environmental Quality (TCEQ). The Executive Order provides more restrictions than the federal ethics rules, but I am advised by OGC/Ethics that these additional restrictions contained in the Executive Order regarding TCEQ as my former employer do not apply to me. The definition of "former employer" in the Executive Order excludes state government.¹ Therefore, OGC/Ethics has confirmed that I am not subject to the additional Executive Order restrictions regarding former employers.

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

Pursuant to the federal impartiality standards, I understand that I have a "covered relationship" with my former employer. However, on September 14, 2018, the EPA's Deputy Ethics Official issued an impartiality determination that authorizes me to participate in specific party matters that involve the State of Texas, but not on the very same specific party matters I worked on personally and substantially while employed with TCEQ. On September 11, 2018, the TCEQ General Law Division made a determination that there is no specified matter related to my EPA representation that is "substantially related to a matter" I handled while employed with TCEQ.

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics or the Region's ethics team, I will revise and update my recusal statement whenever warranted by changed circumstances, including a determination that I worked personally and substantially on a particular matter, not yet identified, while at TCEQ, changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you, OGC/Ethics, and regional staff, as appropriate.

cc: David Gray, Acting Deputy Regional Administrator, Region 6
Ben Harrison, Acting Regional Counsel, Region 6
Jan Gerro, Regional Ethics Counsel, Region 6
Terry Sykes, Regional Ethics Counsel, Region 6
Justina Fugh, Senior Counsel for Ethics

¹ See Exec. Order 13770, Section 2(j), which provides that " 'former employer' does not include ... State or local government."



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Nicholas Falvo
Special Assistant
Office of the Administrator

TO: Albert Kelly
Senior Advisor to the Administrator

OFFICE OF THE
ADMINISTRATOR

A handwritten signature in blue ink, appearing to be "NF", with the date "2-7-18" written below it.

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my former employers, **Akerman LLP** and **Career Education Colleges and Universities**, or any former client to whom I provided legal services during the past two years is a party or represents a party. My former clients include **the American Association of Cosmetology Schools, the Chabot Space and Science Center, the Consortium of Regional Climate Centers, and the Peralta Community College District**. I understand that my recusal lasts until May 7, 2019, which is two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means five or more parties.

Pursuant to Section 1, Paragraph 7 of the Executive Order, since I was a registered lobbyist within the two years prior to joining federal service, I understand that I am also prohibited from participating in any particular matter on which I lobbied within the previous two years and prohibited from participating in the specific issue area in which that particular matter falls. I am advised by OGC/Ethics that the Executive Order defines “participate” to mean “participate personally and substantially”¹ and that the term “specific issue area” means a “particular matter of general applicability.”²

Within the previous two years, I lobbied on nuclear energy related to the Yucca Mountain project and higher education. While I may be listed as having lobbied on other issues, these are the only two issues on which I personally lobbied. I consulted with OGC/Ethics and advised them that my current duties in the Office of the Administrator do not involve my participation in the strategy, development or implementation in either of these specific issue areas. OGC/Ethics therefore concludes that, given my current duties, it is unlikely that I will be participating at a level deemed to be “personally and substantially”³ in these specific issue areas. However, if my EPA duties or involvement with these matters change, I will recuse myself to ensure that I meet the obligations of the Trump Ethics Pledge.

¹ See Exec. Order 13770, Section 2(t), which states that “participate” means to participate personally and substantially.

² See Office of Government Ethics Legal Advisory LA-17-03 (March 20, 2017).

³ To participate “personally” means to participate directly, either individually or in combination with other persons, or through the direct and active supervision of any person an employee supervises. 5 C.F.R. § 2641.201(i)(2). To participate “substantially” means that the employee’s involvement is of significance to the matter, and includes decision-making, review or recommendation as to an action being taken, signing or approving a final document, and/or participating in a final decision briefing. “Participation in peripheral aspects of a matter or in aspects not directly involving the substantive merits of a matter (such as reviewing budgetary procedures or scheduling meetings) is not substantial.” 5 C.F.R. § 2641.201(i)(3).

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Justina Fugh, Senior Counsel for Ethics



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
11201 RENNER BOULEVARD
LENEXA, KS 66219

FEB 05 2018

OFFICE OF
THE REGIONAL ADMINISTRATOR

MEMORANDUM

SUBJECT: Recusal Statement

FROM: James B. Gulliford

TO: E. Scott Pruitt
Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and the Region's ethics team and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that, apart from my spouse's employment, I do not currently have any financial conflicts of interest. I am recused from participating personally and substantially in any particular matter that would have a direct and predictable effect on my spouse's current employer, Liberty Public Schools. I will not participate personally and substantially in any particular matter that affects Liberty Public Schools as a specific party or as a member of an affected class.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my former employers, the **Soil and Water Conservation Society** and **Agriculture and Conservation Services, LLC**, is a party or



represents a party. I understand that my recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means five or more parties.

UPDATE AS NECESSARY

In consultation with OGC/Ethics or the Region’s ethics team, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you, OGC/Ethics, and my principal subordinates.

cc: Karen Flournoy, Acting Deputy Regional Administrator, Region 7
David Cozad, Regional Counsel, Region 7
Karina Borromeo, Regional Ethics Counsel, Region 7
Justina Fugh, Senior Counsel for Ethics




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

NOV - 8 2018

OFFICE OF
THE ADMINISTRATOR

MEMORANDUM

SUBJECT: Updated Recusal Statement

FROM: Henry Darwin 
Associate Deputy Administrator and Chief of Operations

TO: Andrew R. Wheeler
Acting Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This updated memorandum reiterates my existing and ongoing ethics obligations as described in my September 15, 2017 recusal statement, reflects my current EPA title, and removes my State of Arizona recusal since the one-year cooling off period with my former employer has expired.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

RECUSAL REGARDING MY SPOUSE

I have consulted with OGC/Ethics and been advised that I am precluded from participating personally and substantially in any determination, request or recommendation that specifically relates to or affects the salary or benefits of my spouse, Veronica Darwin. Therefore, pursuant to 18 U.S.C. § 208 and 5 C.F.R. § 2635.502, I will continue to recuse myself

from participating in any award, promotion or any other personnel or administrative matter that involves my spouse as a specific party.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics obligations with respect to my former employer, the State of Arizona. The Executive Order provides more restrictions than the federal ethics rules, but I am advised by OGC/Ethics that the additional restrictions contained in the Executive Order regarding former employer do not apply to me. The definition of “former employer” in the Executive Order excludes state government.¹ Therefore, OGC/Ethics has confirmed that I am not subject to the additional Executive Order restrictions regarding former employers.

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Ryan Jackson, Chief of Staff
Justina Fugh, Senior Counsel for Ethics

¹ See Exec. Order 13,770, Section 2(j), which provides that “‘former employer’ does not include ... State government.”



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

MAR 19 2018

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Jenifer Fields *Jenifer Fields* 3/19/18
Chief of Staff

TO: Cosmo Servidio
Regional Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and the Region's ethics team and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and the Region's ethics team and I understand that I have an imputed financial conflict of interest with my spouse's company, Plymouth Fleet, LLC. Thus, I will not participate personally and substantially in any particular matter that affects **Plymouth Fleet, LLC** as a specific party or as a member of an affected class, including any particular matter of general applicability that is focused on the **fleet vehicle repair and maintenance sector**.



OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

I am in an Administratively Determined position and have been advised by OGC/Ethics that I am not considered an appointee for purposes of Executive Order 13770 and, therefore, not required to sign the Trump Ethics Pledge. However, as an executive branch employee, I understand that I am subject to the federal impartiality standards and have a "covered relationship" with my former employer, the Pennsylvania Department of Environmental Protection (PADEP). However, on January 11, 2018, EPA's Designated Agency Ethics Official issued an impartiality determination that authorizes me to participate in specific party matters that involve the State of Pennsylvania, but not on the very same specific party matters I worked on personally and substantially while employed with PADEP. Attached is a list of matters I am recused from given my role at PADEP.

SCREENING ARRANGEMENT

To ensure that I do not participate in the matters listed below, I will instruct Cecil Rodrigues, Deputy Regional Administrator, Region 3 to assist in screening EPA matters directed to my attention that involve those matters. To help ensure that I do not inadvertently participate in matters from which I am recused, I am directing the Deputy Regional Administrator to seek the assistance of the Region 3 Ethics Team and/or OGC/Ethics if he is ever uncertain whether I may participate in a matter. All inquiries and comments involving the matters on my recusal list should be directed to the Deputy Regional Administrator without my knowledge or involvement.

If the Deputy Regional Administrator determines, with input from the Region 3 Ethics Team and/or OGC/Ethics as appropriate, that any of the matters listed on my recusal list is involved, he will refer it for action or assignment to another, without my knowledge or involvement. I will provide a copy of this memorandum to my principal subordinates and Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics or the Region 3 Ethics Team, I will revise and update my recusal statement whenever warranted by changed circumstances, including a determination that I worked personally and substantially on a particular matter, not yet identified, while at PADEP, changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you, OGC/Ethics, the Region 3 Ethics Team and my principal subordinates.

cc: Cecil A. Rodrigues, Deputy Regional Administrator, Region 3
Mary Coe, Regional Counsel, Region 3
Deane Bartlett, Regional Ethics Team, Region 3
Justina Fugh, Senior Counsel for Ethics

<p>Jenifer Fields Pennsylvania Department of Environmental Protection Permanent Recusal</p>
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DELCORA CWA Consent Decree, Case No. 2:15-cv-04652RB (E.D. Pa.)

Bristol Township CWA Consent Decree, Case No. 10-5049 (E.D. Pa.)
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Bucks County Water and Sewer Authority CWA enforcement matter

City of Philadelphia Water Department NPDES permits and enforcement matters

City of Philadelphia Municipal Separate Storm Sewer System permit

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Kenneth Wagner
Senior Advisor



7/31/18

TO: Ryan Jackson
Chief of Staff

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligations to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

Because of my financial interests in various entities, I understand that I am disqualified from participating personally and substantially in any particular matter that will have a direct and predictable effect upon these entities as a specific party. However, I have consulted with OGC/Ethics and been advised that my work is not likely to have a direct and predictable effect upon any of these entities. I will continue to remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13,770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my former employers, **Citizens State Bank of Okemah, OK** and **Latham Wagner Steele & Lehman PC**, or any former client to whom I provided legal services during the past two years is a party or represents a party. I understand that my recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means five or more parties. Set forth below are my former clients identified in consultation with OGC/Ethics that have or may have environmental interests that could potentially arise with respect to my duties here at EPA.¹

RECUSAL LIST	
In effect until March 19, 2019	
FORMER EMPLOYER: Latham Wagner Steele & Lehman PC	
FORMER CLIENTS: AIRIS Wellsite Services, LLC American Airlines Baker Pools LLC Brookside RE Fund 1, LP Cadle Company CDK Distribution, Inc. Central National Bank of Enid Citizens State Bank of Okemah, OK Curt Hessen David Tucker Economy Supply, Inc.	EW7 Products, LLC Impact Roofing of Oklahoma, LLC Jeff Lund/Tulsa Oilers Hockey

¹ For my former clients who are not listed, I understand that I am personally obliged not to participate in specific party matters for the duration of my ethics obligations.

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

I am advised by OGC/Ethics that Executive Order 13770 defines “former employer” to exclude state government,² and the Office of Government Ethics has determined that the same exclusion applies to the definition of “former client.”³ But as an executive branch employee, I understand that I am also subject to the federal impartiality standards and have a one-year cooling off period with any former client who is a state government. Therefore, I will not participate personally and substantially in any particular matter involving specific parties in which the **State of Oklahoma** is a party or represents a party, unless I am first authorized by OGC/Ethics to participate, pursuant to 5 C.F.R. § 2635.502(d). For federal ethics purposes, I understand that my recusal remains in effect for one year from the date that I last provided services to that client, and this federal ethics limitation does not extend to particular matters of general applicability, such as rulemaking. My recusal will end with regard to the State of Oklahoma on March 19, 2018.

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above, I will instruct Troy Lyons to assist in screening EPA matters directed to my attention that involve these entities. All inquiries and comments involving the entities on my recusal list should be directed to Troy Lyons without my knowledge or involvement until after my recusal period ends.

If Mr. Lyons determines that a particular matter will directly involve any of the entities listed on my “specific party” recusal list, then he will refer it for action or assignment to another, without my knowledge or involvement. In the event that he is unsure whether an issue is a particular matter from which I am recused, then he will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics.

² See Exec. Order 13770, Section 2(j), which provides that “‘former employer’ does not include ... State or local government.”

³ See Office of Government Ethics Legal Advisory 17-02 (February 6, 2017), which states that, “[w]ith respect to Executive Order 13770, ethics officials and employees may continue to rely on OGE’s prior guidance regarding Executive Order 13490 to the extent that such guidance addresses language common to both orders,” and Office of Government Ethics Legal Advisory DO-09-011 (March 26, 2009), which states that “based on discussions with the White House Counsel’s office, OGE has determined that the definition of former client is intended to exclude the same governmental entities as those excluded from the definition of former employer.”

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my recusal or screening arrangement, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Justina Fugh, Senior Counsel for Ethics




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGIONAL ADMINISTRATOR
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

SEP 12 2018

MEMORANDUM

SUBJECT: Recusal Statement, Revision #2

FROM: Kurt Thiede
Chief of Staff 

TO: Cathy Stepp
Regional Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and the Region's ethics team and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. *This revision supersedes my previous recusal statements. It adds the Central Sands Dairy CWA NPDES permit matter to the list of matters from which I am recused. The Central Sands Dairy recusal will end one year from my separation from WDNR, on February 16, 2019.*

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and the Region's ethics team and been advised that I do not currently have any significant financial conflicts of interest. I will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

I am in an Administratively Determined position and have been advised by OGC/Ethics that I am not considered an appointee for purposes of Executive Order 13770 and, therefore, not

required to sign the Trump Ethics Pledge. As an executive branch employee, I understand that I am subject to the federal impartiality standards and have a "covered relationship" with my former employer, the Wisconsin Department of Natural Resources (WDNR), which is a state government. However, on March 1, 2018, EPA's Designated Agency Ethics Official issued an impartiality determination that authorizes me to participate in specific party matters that involve the State of Wisconsin, but not on the very same specific party matters I worked on personally and substantially while employed with the WDNR. Attached is a list of matters I am recused from given my role at WDNR.

SCREENING ARRANGEMENT

To ensure that I do not participate in matters relating to any of the entities listed below, I will instruct the Acting Deputy Regional Administrator (DRA), Region 5, and Regional Administrator assistants (identified in the cc: list below) to assist in screening EPA matters directed to my attention that involve those entities. To help ensure that I do not inadvertently participate in matters from which I am recused, I am directing the Acting DRA to seek the assistance of the Region 5 Ethics Team and/or OGC/Ethics if he is ever uncertain whether I may participate in a matter. All inquiries and comments involving the entities on my recusal list should be directed to the Acting DRA without my knowledge or involvement until after my recusal period ends.

If the Acting DRA determines, with input from Region 5 Ethics and/or OGC/Ethics as appropriate, that a particular matter will directly involve any of the entities on my "specific party" recusal list, he will refer it for action or assignment to another, without my knowledge or involvement. I will provide a copy of this memorandum to my principal subordinates, Justina Fugh, Senior Counsel for Ethics, and Ann Coyle, Regional Ethics Attorney.

UPDATE AS NECESSARY

In consultation with OGC/Ethics or the Region's ethics team, I will revise and update my recusal statement whenever warranted by changed circumstances, including a determination that I worked personally and substantially on a particular matter, not yet identified, while at WDNR, changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you, OGC/Ethics, and my principal subordinates.

cc: Justina Fugh, Senior Counsel for Ethics
Jim Payne, Acting Deputy Regional Administrator
Leverett Nelson, Regional Counsel, Region 5
Ann Coyle, Regional Ethics Counsel, Region 5
Felicia Williams, Executive Assistant to the Regional Administrator
Isidra Martinez, Staff Assistant
Marjorie Marshall, Secretary
Sheila Robinson, SEEP

Kurt Thiede–Wisconsin Department of Natural Resources Permanent Recusal Unless Otherwise Noted	
Company/Matter	Statute(s)
Aquaculture issues	
Ashley Furniture	CWA
Back 40/Aquila Mine	CWA
Badger Ammunition	RCRA
Calumet Superior/Husky	Various
Central Sands Dairy ¹	CWA NPDES
Fox River	Superfund
Foxconn	Various
Kinnard Farms	CWA NPDES
Kohler Golf Course	CWA
Legal Authority Review	CWA NPDES
Madison-Kipp Corp (Madison)	TSCA PCBs
Meteor Timber	CWA
Mid-America Steel Drum a/k/a Greif a/k/a CLCM (Milwaukee)	Various
NPDES withdrawal petition	CWA NPDES
Ozone Designations and SIPs <ul style="list-style-type: none"> • Door County • Kenosha County • Manitowoc County • Milwaukee County • Ozaukee County • Racine County • Sheboygan County • Washington County • Waukesha County 	CAA
Sturgeon Bay ordinary high water mark	
WDNR's comments on Tribal "Treatment as State" Reinterpretation Rule <ul style="list-style-type: none"> • Forest County Potawatomi, Treatment as a State • Lac Courte Oreilles, Treatment as a State 	CWA & CAA

¹ The Central Sands Dairy recusal will end one year after my date of separation from WDNR, February 16, 2019.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGIONAL ADMINISTRATOR
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAR 05 2018

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Kurt Thiede *KA7*
Chief of Staff

TO: Cathy Stepp
Regional Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and the Region's ethics team and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and the Region's ethics team and been advised that I do not currently have any significant financial conflicts of interest. I will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

I am in an Administratively Determined position and have been advised by OGC/Ethics that I am not considered an appointee for purposes of Executive Order 13770 and, therefore, not required to sign the Trump Ethics Pledge. As an executive branch employee, I understand that I am subject to the federal impartiality standards and have a "covered relationship" with my

former employer, the Wisconsin Department of Natural Resources (WDNR), which is a state government. However, on March 1, 2018, EPA's Designated Agency Ethics Official issued an impartiality determination that authorizes me to participate in specific party matters that involve the State of Wisconsin, but not on the very same specific party matters I worked on personally and substantially while employed with the WDNR. Attached is a list of matters I am recused from given my role at WDNR.

SCREENING ARRANGEMENT

To ensure that I do not participate in matters relating to any of the entities listed below, I will instruct the Acting Deputy Regional Administrator (DRA), Region 5, and Regional Administrator assistants (identified in the cc: list below) to assist in screening EPA matters directed to my attention that involve those entities. To help ensure that I do not inadvertently participate in matters from which I am recused, I am directing the Acting DRA to seek the assistance of the Region 5 Ethics Team and/or OGC/Ethics if he is ever uncertain whether I may participate in a matter. All inquiries and comments involving the entities on my recusal list should be directed to the Acting DRA without my knowledge or involvement until after my recusal period ends.

If the Acting DRA determines, with input from Region 5 Ethics and/or OGC/Ethics as appropriate, that a particular matter will directly involve any of the entities on my "specific party" recusal list, he will refer it for action or assignment to another, without my knowledge or involvement. I will provide a copy of this memorandum to my principal subordinates, Justina Fugh, Senior Counsel for Ethics, and Ann Coyle, Regional Ethics Attorney.

UPDATE AS NECESSARY

In consultation with OGC/Ethics or the Region's ethics team, I will revise and update my recusal statement whenever warranted by changed circumstances, including a determination that I worked personally and substantially on a particular matter, not yet identified, while at WDNR, changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you, OGC/Ethics, and my principal subordinates.

cc: Justina Fugh, Senior Counsel for Ethics
Ed Chu, Acting Deputy Regional Administrator, Region 5
Leverett Nelson, Regional Counsel, Region 5
Ann Coyle, Regional Ethics Counsel, Region 5
Felicia Williams, Executive Assistant to the Regional Administrator
Isidra Martinez, Staff Assistant
Marjorie Marshall, Secretary
Sheila Robinson, SEEP

Kurt Thiede–Wisconsin Department of Natural Resources Permanent Recusal	
Company/Matter	Statute(s)
Aquaculture issues	
Ashley Furniture	CWA
Back 40/Aquila Mine	CWA
Badger Ammunition	RCRA
Calumet Superior/Husky	Various
Fox River	Superfund
Foxconn	Various
Kinnard Farms	CWA NPDES
Kohler Golf Course	CWA
Legal Authority Review	CWA NPDES
Madison-Kipp Corp (Madison)	TSCA PCBs
Meteor Timber	CWA
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NPDES withdrawal petition	CWA NPDES
Ozone Designations and SIPs <ul style="list-style-type: none"> • Sheboygan • Door County • Racine County • Waukesha County 	CAA
Sturgeon Bay ordinary high water mark	
WDNR's comments on Tribal "Treatment as State" Reinterpretation Rule <ul style="list-style-type: none"> • Forest County Potawatomi, Treatment as a State • Lac Courte Oreilles, Treatment as a State 	CWA & CAA



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGIONAL ADMINISTRATOR
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAR 15 2018

MEMORANDUM

SUBJECT: Recusal Statement, Revision #1

FROM: Kurt Thiede
Chief of Staff *KT*

TO: Cathy Stepp
Regional Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and the Region's ethics team and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. *This revision adds five counties to the list of ozone designation and SIP matters from which I am recused.*

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and the Region's ethics team and been advised that I do not currently have any significant financial conflicts of interest. I will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

I am in an Administratively Determined position and have been advised by OGC/Ethics that I am not considered an appointee for purposes of Executive Order 13770 and, therefore, not required to sign the Trump Ethics Pledge. As an executive branch employee, I understand that I

am subject to the federal impartiality standards and have a "covered relationship" with my former employer, the Wisconsin Department of Natural Resources (WDNR), which is a state government. However, on March 1, 2018, EPA's Designated Agency Ethics Official issued an impartiality determination that authorizes me to participate in specific party matters that involve the State of Wisconsin, but not on the very same specific party matters I worked on personally and substantially while employed with the WDNR. Attached is a list of matters I am recused from given my role at WDNR.

SCREENING ARRANGEMENT

To ensure that I do not participate in matters relating to any of the entities listed below, I will instruct the Acting Deputy Regional Administrator (DRA), Region 5, and Regional Administrator assistants (identified in the cc: list below) to assist in screening EPA matters directed to my attention that involve those entities. To help ensure that I do not inadvertently participate in matters from which I am recused, I am directing the Acting DRA to seek the assistance of the Region 5 Ethics Team and/or OGC/Ethics if he is ever uncertain whether I may participate in a matter. All inquiries and comments involving the entities on my recusal list should be directed to the Acting DRA without my knowledge or involvement until after my recusal period ends.

If the Acting DRA determines, with input from Region 5 Ethics and/or OGC/Ethics as appropriate, that a particular matter will directly involve any of the entities on my "specific party" recusal list, he will refer it for action or assignment to another, without my knowledge or involvement. I will provide a copy of this memorandum to my principal subordinates, Justina Fugh, Senior Counsel for Ethics, and Ann Coyle, Regional Ethics Attorney.

UPDATE AS NECESSARY

In consultation with OGC/Ethics or the Region's ethics team, I will revise and update my recusal statement whenever warranted by changed circumstances, including a determination that I worked personally and substantially on a particular matter, not yet identified, while at WDNR, changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you, OGC/Ethics, and my principal subordinates.

cc: Justina Fugh, Senior Counsel for Ethics
Ed Chu, Acting Deputy Regional Administrator, Region 5
Leverett Nelson, Regional Counsel, Region 5
Ann Coyle, Regional Ethics Counsel, Region 5
Felicia Williams, Executive Assistant to the Regional Administrator
Isidra Martinez, Staff Assistant
Marjorie Marshall, Secretary
Sheila Robinson, SEEP

Kurt Thiede–Wisconsin Department of Natural Resources Permanent Recusal	
Company/Matter	Statute(s)
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Badger Ammunition	RCRA
Calumet Superior/Husky	Various
Fox River	Superfund
Foxconn	Various
Kinnard Farms	CWA NPDES
Kohler Golf Course	CWA
Legal Authority Review	CWA NPDES
Madison-Kipp Corp (Madison)	TSCA PCBs
Meteor Timber	CWA
Mid-America Steel Drum a/k/a Greif a/k/a CLCM (Milwaukee)	Various
NPDES withdrawal petition	CWA NPDES
Ozone Designations and SIPs <ul style="list-style-type: none"> • Door County • Kenosha County • Manitowoc County • Milwaukee County • Ozaukee County • Racine County • Sheboygan County • Washington County • Waukesha County 	CAA
Sturgeon Bay ordinary high water mark	
WDNR's comments on Tribal "Treatment as State" Reinterpretation Rule <ul style="list-style-type: none"> • Forest County Potawatomi, Treatment as a State • Lac Courte Oreilles, Treatment as a State 	CWA & CAA



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

FEB - 1 2018

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Matthew Z. Leopold
General Counsel

A handwritten signature in blue ink, appearing to read "M3f", is written over the name "Matthew Z. Leopold".

TO: E. Scott Pruitt
Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my

former employer, **Carlton Fields Jorden Burt, P.A.**, or any former client to whom I provided legal services during the past two years is a party or represents a party. I understand that my recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term "particular matters involving specific parties" is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term "open to all interested parties" means five or more parties. Set forth below are my former clients identified in consultation with OGC/Ethics that have or may have environmental interests that could potentially arise with respect to my duties here at EPA.¹

RECUSAL LIST In effect until January 7, 2020	
FORMER EMPLOYER: Carlton Fields Jorden Burt, P.A.	
FORMER CLIENTS: 25 Countryside West, LLC AEW Capital Management, LP AIG Environment Amherst Consulting Company, LLC Anderson Columbia Co., Inc. Arcadis US, Inc AT&T BASF Corporation Blackwater Resources, LLC Bluefield Ranch Mitigation Bank, LLC Burnett Oil Co., Inc. Collier Resources Company LLP Comanco Environmental Corporation East Bay Farms, LLC Edgar Minerals, Inc. Evergreen Communities, Inc. Ford Motor Company Foundation for Better Environmental Stewardship FPL Group, Inc.	The Geo Group, Inc. Girl Scouts of West Central Florida, Inc. Hendry Energy Services, LLC Howard Group Development Company Laurus Corp. Leisure Resorts, LLC Mosaic Fertilizer, LLC Neology, Inc. Norstar Development USA, L.P. PRH Investments, LLC The Republican National Committee Resource Environmental Solutions, LLC Sharfi, Benjamin K. Siemens Corporation Tucker, Leslie Hollis The Villages of Lake-Sumter, Inc. WCI Communities, LLC WRS, Inc

After consulting with OGC/Ethics, I am advised that I do not need to recuse myself from matters involving NextEra Energy, the parent company of one of my former clients, because I

¹ For my former clients who are not listed, I understand that I am personally obliged not to participate in specific party matters for the duration of my ethics obligations.

did not personally provide legal services to this entity. However, in an abundance of caution, I am voluntarily recusing myself from matters involving **NextEra Energy** at this time.

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

I am advised by OGC/Ethics that Executive Order 13770 defines “former employer” to exclude state or local government entities,² and the Office of Government Ethics has determined that the same exclusion applies to the definition of “former client.”³ But as an executive branch employee, I understand that I am also subject to the federal impartiality standards and have a one-year cooling off period with any former client who is a state or local government.

Therefore, I will not participate personally and substantially in any particular matter involving specific parties in which **Okaloosa County, Florida** is a party or represents a party, unless I am first authorized by OGC/Ethics to participate, pursuant to 5 C.F.R. § 2635.502(d). For federal ethics purposes, I understand that my recusal remains in effect for one year from the date that I last provided services to that client, and this federal ethics limitation does not extend to particular matters of general applicability, such as rulemaking. My recusal will end with regard to Okaloosa County, Florida on December 31, 2018. I will consult with OGC/Ethics should a situation arise in which I seek an impartiality determination to authorize my participation in a specific party matter involving Okaloosa County.

Pursuant to the federal impartiality standards, I also understand that I have a “covered relationship” with another former client, the Florida Department of Environmental Protection (FL DEP). However, on January 10, 2018, EPA’s Designated Agency Ethics Official issued an impartiality determination that authorizes me to participate in specific party matters that involve the State of Florida, but not on the very same specific party matters on which I worked on personally and substantially while providing legal services to the FL DEP or employed by the State of Florida.

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics. Thus, I will not participate in the following two cases:

² See Exec. Order 13770, Section 2(j), which provides that “‘former employer’ does not include ... State or local government.”

³ See Office of Government Ethics Legal Advisory 17-02 (February 6, 2017), which states that, “[w]ith respect to Executive Order 13770, ethics officials and employees may continue to rely on OGE’s prior guidance regarding Executive Order 13490 to the extent that such guidance addresses language common to both orders,” and Office of Government Ethics Legal Advisory DO-09-011 (March 26, 2009), which states that “based on discussions with the White House Counsel’s office, OGE has determined that the definition of former client is intended to exclude the same governmental entities as those excluded from the definition of former employer.”

CASE NAME:	CITATION:
United States, <i>et al.</i> v. South Florida Water District Management, <i>et al.</i>	No. 1.88-cv-1886 (S.D. Fla)
BASF Corporation v. State of Florida, Department of Environmental Protection	Case No. 17-003684RP; Rule No. 62-304.305, F.A.C.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above, I will instruct Kevin Minoli, Principal Deputy General Counsel, to assist in screening EPA matters directed to my attention that involve those entities. All inquiries and comments involving the entities on my recusal list should be directed to Mr. Minoli without my knowledge or involvement until after my recusal period ends.

If Mr. Minoli determines that a particular matter will directly involve any of the entities or matters listed on my "specific party" recusal list, then he will refer it for action or assignment to another, without my knowledge or involvement. In the event that he is unsure whether an issue is a particular matter from which I am recused, then he will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Ryan Jackson, Chief of Staff
Kevin Minoli, Principal Deputy General Counsel
Erik Baptist, Senior Deputy General Counsel
David Fotouhi, Deputy General Counsel
Justin Schwab, Deputy General Counsel
Marcella Burke, Deputy General Counsel
Richard L. Albores, Associate Deputy General Counsel
Justina Fugh, Senior Counsel for Ethics
OGC Associate General Counsels and Directors
Regional Counsels



6/11 62130 mwr

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Michael B. Stoker *Michael B Stoker*
Regional Administrator

TO: E. Scott Pruitt
Administrator

DATE: June 4, 2018

I have consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties involving my

sole proprietorship (**the Law Offices of Mike Stoker**), or any former client to whom I provided legal or consultative services during the past two years is a party or represents a party. I understand that my recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means that the meeting should include a multiplicity of parties representing a diversity of viewpoints. If a former client is present, then I understand that, generally speaking, at least four other parties should be present to ensure that a diversity of viewpoints is represented and not the same united perspective.

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics. I am therefore recusing myself from participation in all matters related to United States of America, et al. v. HVI Cat Canyon, Inc., f/k/a Greka Oil & Gas, Inc., U.S. District Court, Central District of California Case No. CV 11-50978FMO (SSx).

RECUSALS

Set forth below are my former clients identified in consultation with OGC/Ethics that have or may have environmental interests that could potentially arise with respect to my duties here at EPA, as well as the specific issues areas from which I am recused:

RECUSAL LIST In effect until April 28, 2020	
FORMER EMPLOYER:	the Law Firm of Mike Stoker (currently inactive)
FORMER CLIENTS:	United AG BioSci
PRIOR PARTICIPATION IN SPECIFIC PARTY OR RELATED MATTER:	<u>United States of America, et al. v. HVI Cat Canyon, Inc., f/k/a Greka Oil & Gas, Inc.</u> , U.S. District Court, Central District of California Case No. CV 11-50978FMO (SSx)

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above, I will instruct Sylvia Quast, Regional Counsel for EPA Region IX, to assist in screening EPA matters directed to my attention that involve those entities. All inquiries and comments involving the entities on my recusal list should be directed to Sylvia Quast without my knowledge or involvement until after my recusal period ends.

If Sylvia Quast determines that a particular matter will directly involve any of the entities or matters listed on my "specific party" recusal list, then she will refer it for action or assignment to another, without my knowledge or involvement. In the event that she is unsure whether an issue is a particular matter from which I am recused, then she will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Debbie Jordan, Deputy Regional Administrator
Sylvia Quast, Regional Counsel
Steven Jawgiel, Regional Ethics Counsel
Justina Fugh, Senior Counsel for Ethics




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

JUL 24 2018

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Peter Wright 
Senior Advisor to the Administrator

TO: Andrew R. Wheeler
Acting Administrator

Upon consideration of my appointment, I consulted with the Office of General Counsel/Ethics (OGC/Ethics) and was advised about my ethics obligations. I have assiduously followed their advice since my appointment, and this memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

As stated in my ethics agreement, I agreed to forfeit all DowDuPont, Inc. (DowDuPont) stock options that are unvested at the time of my resignation from DowDuPont and to divest of my vested stock options and stock in DowDuPont within 90 days of my federal appointment. I am currently working with OGC/Ethics to fulfill this commitment. Until I sell the stock, I

understand that I am recused from participating personally and substantially in any particular matter, including sector-specific policies and regulations, that would have a direct and predictable effect on the following:

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
DowDupont, Inc.	Continues for as long as I own stock in the company. Upon divestiture, I understand that I am subject to additional restrictions pursuant to Executive Order 13770.
Chemical industry sector	Continues for as long as I own stock in this sector.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics obligations with respect to any former employer during the preceding two years, as well as any organization in which I held a fiduciary duty. For purposes of this restriction, the entities that fall within the prohibition are DowDuPont, the National Association of Wabash Men, and the Lambda Chi Alpha Home Association of Wabash College.

I understand that I am prohibited from participating in any particular matter involving specific parties in which any of the entities listed below is a party or represents a party. My recusal lasts for two years from the date that I joined federal service. I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means five or more parties who represent a diversity of interests rather than one shared perspective.¹

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
DowDupont, Inc.	July 8, 2020
National Association of Wabash Men, Board of Directors	July 8, 2020
Lambda Chi Alpha Home Association of Wabash College	July 8, 2020

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in

¹ I understand that such meetings “do not have to be open to every corner, but should include a multiplicity of parties. For example, if an agency is holding a meeting with five or more stakeholders regarding a given policy or piece of legislation, [then I] could attend such a meeting even if one of the stakeholders is a former employer or former client.” See Office of Government Ethics (OGE) Advisory DO-09-011 (3/26/09), which applies to Exec. Order 13770 pursuant to OGE Legal Advisory LA-17-03 (3/20/17).

personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

SUPERFUND SITES

To avoid any concerns about my ethical obligations, I am affirming that I will not participate in matters related to any of the sites on the attached list generated by the Office of Site Remediation and Enforcement. This list includes all of the Superfund sites at which DowDuPont Inc. is a potentially responsible party. Consistent with my attorney bar rules, I will not participate in any matter that I previously worked on personally and substantially. For any of the sites on the attached list that I did not previously work on personally and substantially, I will not participate in matters for those sites until after July 8, 2020, consistent with my obligations under the federal ethics regulations and Executive Order 13770.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above or Superfund sites on the attached list, I will instruct Barry Breen and/or Steven Cook, Deputy Assistant Administrators, to assist in screening EPA matters directed to my attention that involve those entities or sites. All inquiries and comments involving the entities or Superfund sites on my recusal list should be directed to Mr. Breen or Mr. Cook without my knowledge or involvement until after my recusal period ends.

If Mr. Breen or Mr. Cook determine that a particular matter will directly involve any of the entities or matters listed on my "specific party" recusal list, then they will refer it for action or assignment to another, without my knowledge or involvement. In the event that they are unsure whether an issue is a particular matter from which I am recused, then they will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Kevin Minoli, Designated Agency Ethics Official, and Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests such as the sale of the above-mentioned stock, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Ryan Jackson, Chief of Staff
Barry Breen, Deputy Assistant Administrator
Steven Cook, Deputy Assistant Administrator
Kevin Minoli, Designated Agency Ethics Official
Justina Fugh, Senior Counsel for Ethics



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

FEB 8 2018

OFFICE OF WATER

MEMORANDUM

SUBJECT: Recusal Statement

FROM: David P. Ross
Assistant Administrator

A handwritten signature in blue ink, appearing to read "D. Ross", is placed next to the name "David P. Ross".

TO: E. Scott Pruitt
Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I am disqualified from participating personally and substantially in any particular matter that would have a direct and predictable effect on certain financial interests imputed to me under 18 U.S.C. § 208. These recusals are in place for as long as my imputed interest owns stock in the following:

Particular Matters of General Applicability AND Particular Matters Involving Specific Parties
ADP

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics obligations with respect to my former employers, the Wisconsin Department of Justice and the Wyoming Attorney General's Office. The Executive Order provides more restrictions than the federal ethics rules, but I am advised by OGC/Ethics that the additional restrictions contained in the Executive Order regarding former employer do not apply to me. The definition of "former employer" in the Executive Order excludes state government.¹ Therefore, OGC/Ethics has confirmed that I am not subject to the additional Executive Order restrictions regarding former employers.

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

Pursuant to the federal impartiality standards, I understand that I have a "covered relationship" with any former employer I've served within the last year who is a state government. However, on January 11, 2018, the EPA's Designated Agency Ethics Official issued an impartiality determination that authorizes me to participate in specific party matters that involve the State of Wisconsin, but not on the very same specific party matters on which I worked on personally and substantially while employed with the Wisconsin Department of Justice.

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics. Thus, I will not participate in the following matters:

¹ See Exec. Order 13770, Section 2(j), which provides that "'former employer' does not include ... State or local government."

CASE NAME and/or SUBJECT MATTER:	CITATION and/or DESCRIPTION:
All litigation challenging the June 2015 Clean Water Rule, including: ² <ul style="list-style-type: none"> - National Association of Manufacturers, <i>petitioner</i>, v. U.S. Department of Defense, <i>et al. respondents</i> - Murray Energy Corporation v. EPA, <i>et al.</i> - State of Georgia, <i>et al.</i> v. E. Scott Pruitt, <i>et al.</i> - North Dakota, <i>et al.</i> v. EPA, <i>et al.</i> 	<p>No. 16-299 (S. Ct.)</p> <p>No. 15-3751 (6th Cir.)</p> <p>No. 15-14035 (11th Cir.)</p> <p>No. 3:15-cv-00059 (D.N.D.)</p>
State of Wisconsin v. Madison-Kipp Corp. ³	No. 12-CX-46 (Dane County)
Matters related to the Pebble Mine near Bristol Bay, Alaska	Includes any associated litigation, settlement agreement, and permitting ⁴

SCREENING ARRANGEMENT

In order to ensure that I do not participate in the matters listed above, I will instruct Lee Forsgren, Deputy Assistant Administrator, to assist in screening EPA matters directed to my attention. All inquiries and comments involving the matters on my recusal list should be directed to Mr. Forsgren without my knowledge or involvement until after my recusal period ends.

If Mr. Forsgren determines that any of the matters listed on my recusal list is involved, then he will refer it for action or assignment to another, without my knowledge or involvement. In the event that he is unsure whether an issue is a particular matter from which I am recused, then he will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

² I am advised by OGC/Ethics that my recusal is limited to these specific party matters challenging the Clean Water Rule issued in June 2015. I understand that I am not recused from working on other rulemakings or related matters, including the two-step rulemaking process intended to review and revise the definition of "waters of the United States" (Step 1 rule and Step 2 rule), and any subsequent litigation from such rulemakings.

³ Although not necessarily required, I am voluntarily recusing myself from any SDWA or TSCA (PCB) matters at the Madison-Kipp Corporation facility to avoid the appearance of any impropriety under federal ethics or professional responsibility obligations.

⁴ In an abundance of caution to avoid even the appearance of an ethical or professional responsibility concern, my recusal includes, but is not limited to, Pebble Ltd. P'tship v. EPA, *et al.*, No. 3:14-cv-00097-HRH (D. Alaska), and other associated lawsuits, as well as the subsequent May 11, 2017 Settlement Agreement addressing all of these matters.

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Ryan Jackson, Chief of Staff
D. Lee Forsgren, Jr., Deputy Assistant Administrator
Benita Best-Wong, Acting Principal Deputy Assistant Administrator
Justina Fugh, Senior Counsel for Ethics




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

MEMORANDUM

FEB 1 2 2018

SUBJECT: Recusal Statement

FROM: Cosmo Servidio 
Regional Administrator

TO: E. Scott Pruitt
Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and the Region's ethics team and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics



obligations with respect to my former employer, the Bucks County Water & Sewer Authority (BCWSA), and, by extension, Bucks County, Pennsylvania. The Executive Order provides more restrictions than the federal ethics rules, but I am advised by OGC/Ethics that the additional restrictions contained in the Executive Order regarding former employers do not apply to me. The definition of "former employer" in the Executive Order excludes local government.¹ Therefore, OGC/Ethics has confirmed that I am not subject to the additional Executive Order restrictions regarding former employers.

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

Pursuant to federal ethics rules, I understand that I have a one-year cooling off period with my former employer. For one year after my resignation from BCWSA, I am prohibited from participating personally and substantially in any particular matter involving specific parties in which BCWSA or Bucks County is a party or represents a party, unless I am first authorized by OGC/Ethics to participate, pursuant to 5 C.F.R. § 2635.502(d). On November 15, 2017, EPA's Designated Agency Ethics Official issued an impartiality determination authorizing me to participate in particular matters that involve BCWSA or Bucks County, Pennsylvania with the following limitation: I must recuse myself from participation in EPA specific party matters if I participated personally and substantially in the same specific party matters while employed with the BWSCA.

UPDATE AS NECESSARY

In consultation with OGC/Ethics or the Region's ethics team, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you, OGC/Ethics, and my principal subordinates.

cc: Ryan Jackson, Chief of Staff
Cecil A. Rodrigues, Deputy Regional Administrator, Region III
Mary Coe, Regional Counsel, Region III
Deane Bartlett, Regional Ethics Counsel, Region III
Justina Fugh, Senior Counsel for Ethics

¹ See Exec. Order 13,770, Section 2(j), which provides that "'former employer' does not include ... State government."



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460


APR 20 2018

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

NOW THE
OFFICE OF LAND AND
EMERGENCY MANAGEMENT

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Steven Cook 
Deputy Assistant Administrator

TO: Barry N. Breen
Acting Assistant Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest. I will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my former employer, **LyondellBasell Industries N.V.**, is a party or represents a party. I understand that my recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means five or more parties who represent a diversity of interests.

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters related to the entity above, I will instruct Becky Brooks or Nick Hilosky, Special Assistants, to assist in screening EPA matters directed to my attention that involve LyondellBasell Industries N.V. All inquiries and comments involving LyondellBasell Industries N.V. should be directed to Becky Brooks or Nick Hilosky without my knowledge or involvement until after my recusal period ends.

If Becky Brooks or Nick Hilosky determines that a particular matter will directly involve LyondellBasell Industries N.V., then she/he will refer it for action or assignment to another, without my knowledge or involvement. In the event that she/he is unsure whether an issue is a particular matter from which I am recused, then she/he will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you and to OGC/Ethics.

cc: Justina Fugh, Senior Counsel for Ethics

MEMORANDUM

SUBJECT: Recusal Statement

FROM: William L. Wehrum
Assistant Administrator

TO: Andrew R. Wheeler
Acting Administrator



9-17-18

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligations to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my former employer, **Hunton & Williams LLP** (now Hunton Andrews Kurth LLP), or any former client to whom I provided legal services during the past two years, is a party or represents a party. I understand that my recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means five or more parties.

RECUSAL LIST	
In effect until November 12, 2019	
FORMER EMPLOYER: Hunton & Williams LLP (now Hunton Andrews Kurth LLP)	
FORMER CLIENTS: ¹	
Agrium Inc.; Agrium U.S. Inc.; Nu-West Industries, Inc. American Forest & Paper Association American Fuel & Petrochemical Manufacturers American Petroleum Institute B10 Litigation Coalition Brick Industry Association CEMEX USA, Inc. Champion Power Equipment, Inc. Chemical Safety Advocacy Group (CSAG) Chevron Corporation Diageo Dominion Resources Services, Inc. Duke Energy Corporation Enbridge, Inc. Evonik Corporation ² ExxonMobil Corporation Flint Hills Resources, LP GPA Midstream Association (formally known as Gas Processors Association)	General Electric Company Georgia-Pacific LLC Kinder Morgan, Inc. Koch Companies Public Sector, LLC Koch Industries, Inc. Lehigh Hanson, Inc. Lowe's Companies, Inc. National Stone, Sand and Gravel Association Pfizer Inc. Phillips 66 Company Portland Cement Association Prinot Ltd. Salt River Project Spectra Energy Corp. Sunflower Electric Power Corporation, Inc. Tile Council of North America Utility Air Regulatory Group Utility Water Act Group Whitaker Greer Company

¹ Two confidential clients are not listed. Both clients have a written confidentiality agreement expressly prohibiting disclosure.

² Includes but not limited to an ongoing settlement negotiation.

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics. Attached is a list of cases I am recused from given my participation at Hunton Andrews Kurth LLP.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above or matters identified in the Attachment, I will instruct Josh Lewis, Chief of Staff, and Mandy Gunasekara, Principal Deputy Assistant Administrator, to assist in screening EPA matters directed to my attention that involve those entities. All inquiries and comments involving the entities or matters on my recusal list should be directed to Josh and Mandy without my knowledge or involvement until after my recusal period ends.

If Josh or Mandy determine that a particular matter will directly involve any of the entities or matters listed on my "specific party" recusal list, then they will refer it for action or assignment to another, without my knowledge or involvement. In the event that they are unsure whether an issue is a particular matter from which I am recused, then they will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my recusal or screening arrangement, I will provide a copy of the revised recusal statement to OGC/Ethics.

Attachment

cc: Matthew Z. Leopold, General Counsel
Ryan Jackson, Chief of Staff
Mandy Gunesakara, Deputy Assistant Administrator
Clint Woods, Deputy Assistant Administrator
Elizabeth Shaw, Deputy Assistant Administrator
David Harlow, Senior Counsel
Josh Lewis, Chief of Staff
Kevin Minoli, Designated Agency Ethics Official
Justina Fugh, Senior Counsel for Ethics

William L. Wehrum
RECUSAL LIST – ATTORNEY BAR OBLIGATIONS

CASE NAME:	CITATION:
American Petroleum Institute v. EPA	No. 08-1277 (D.C. Cir.)
Environmental Integrity Project v. EPA	No. 08-1281 (D.C. Cir.) (consolidated with No. 08-1277)
Kinder Morgan CO2 Co., LP v. EPA	No. 09-1332 (D.C. Cir.)
Gas Processors Association v. EPA	No. 11-1023 (D.C. Cir.)
American Petroleum Institute, <i>et al.</i> v. EPA	No. 11-1309 (D.C. Cir.)
National Rural Electric Coop. v. EPA	No. 12-1208 (D.C. Cir.) (consolidated with No. 12-1163)
National Rural Electric Coop. v. EPA	No. 12-1352 (D.C. Cir.) (consolidated with No. 12-1346)
American Petroleum Institute v. EPA	No. 12-1405 (D.C. Cir.)
Gas Processors Association v. EPA	No. 12-1406 (D.C. Cir.) (consolidated with No. 12-1405)
American Petroleum Institute, <i>et al.</i> v. EPA	No. 12-1442 (D.C. Cir.)
American Petroleum Institute v. EPA	No. 13-1063 (D.C. Cir.) (consolidated with No. 11-1309)
American Petroleum Institute v. EPA	No. 13-1108 (D.C. Cir.)
Conservation Law Foundation, <i>et al.</i> v. EPA	No. 13-1233 (D.C. Cir.)
Sierra Club, <i>et al.</i> v. EPA	No. 13-1256 (D.C. Cir.) (consolidated with No. 16-1021)
American Petroleum Institute v. EPA	No. 13-1289 (D.C. Cir.) (consolidated with No. 13-1108)
PSEG Power LLC, <i>et al.</i> v. EPA	No. 14-1199 (D.C. Cir.) (consolidated with No. 13-1233)
Georgia-Pacific LLC v. EPA	No. 14-1267 (D.C. Cir.)
Gas Processors Association v. EPA	No. 15-1021 (D.C. Cir.) (consolidated with No. 15-1020)
American Petroleum Institute v. EPA	No. 15-1044 (D.C. Cir.) (consolidated with No. 13-1108)
American Petroleum Institute v. EPA	No. 15-1197 (D.C. Cir.)
Gas Processors Association v. EPA	No. 15-1473 (D.C. Cir.)
Sierra Club, <i>et al.</i> v. EPA, <i>et al.</i>	No. 15-1487 (D.C. Cir.)
Brick Industry Association v. EPA	No. 15-1492 (D.C. Cir.) (consolidated with No. 15-1487)
Sierra Club, <i>et al.</i> v. EPA, <i>et al.</i>	No. 16-1021 (D.C. Cir.)
American Fuel & Petrochemical, <i>et al.</i> v. EPA	No. 16-1033 (D.C. Cir.)
Air Alliance Houston, <i>et al.</i> v. EPA, <i>et al.</i>	No. 16-1035 (D.C. Cir.) (consolidated with No. 16-1033)
Brick Industry Association v. EPA	No. 16-1179 (D.C. Cir.) (consolidated with No. 15-1487)

American Petroleum Institute v. EPA	No. 16-1270 (D.C. Cir.) (consolidated with No. 13-1108)
American Petroleum Institute v. EPA	No. 16-1271 (D.C. Cir.)
American Petroleum Institute v. EPA	No. 16-1345 (D.C. Cir.) (consolidated with No. 16-1344)
Natural Resources Defense Council v. EPA	No. 16-1425 (D.C. Cir.)
Utility Air Regulatory Group v. EPA	No. 17-1088 (D.C. Cir.) (consolidated with No. 17-1085)